



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Case No. 02-760-A)

Tfile

In Application of:
Fobian, et al.

)
) Before the Examiner:
) Shailendra Kumar

Serial No.: 10/657,567

Filed: September 8, 2003

)
) Art Unit: 1621

For: 1,3-Diamino-2-Hydroxypropane
Prodrug Derivatives

TRANSMITTAL LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

In regard to the above identified application:

1. We are transmitting herewith the attached:
 - a. Information Disclosure Statement (IDS) (2 sheets);
 - b. Form PTO-1449 (1 sheets);
 - c. Ten (10) Cited References;
 - d. International Search Report for International Application PCT/US03/28116.; and
 - e. Return Receipt Postcard.
2. With respect to fees:
 - a. Please charge \$180.00 to Deposit Account No. 13-2490 for the fee.
3. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2490.
4. CERTIFICATE OF MAILING UNDER 37 CFR § 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described in paragraph 1 hereinabove, are being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on October 25, 2005.

Respectfully submitted,

Date: October 25, 2005

By:

Raafat M. Shaltout

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Reg. No. 45,092

McDonnell, Boehnen Hulbert & Berghoff LLP

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Chicago, IL 60606



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INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. Section 1.97 - 1.99, the Applicant wishes to make the following references of record in the above-identified application. This Information Disclosure Statement is in compliance with the continuing duty of candor as set forth in 37 C.F.R. Section 1.56. Copies of the references cited below are enclosed. These references are also listed on the enclosed PTO Form 1449.

In the judgment of the undersigned, portions of the listed references may be material to the Examiner's consideration of the presently pending claims. However, the references have not been reviewed in sufficient detail to make any other representation and, in particular, no representation is intended as to the relative relevance between references, whether cited in this or prior statements. This statement is not a representation that the listed references have effective dates early enough to be "prior art" within the meaning of 35 U.S.C. Section 102 or Section 103.

U.S. Patent and Published Application

1. Fang, et al., U.S. Published Application No. 2003-0096864, published May 22, 2003.
2. Fang, et al., U.S. Published Application No. 2002-0016320, published February 7, 2002.
3. Fang, et al., U.S. Published Application No. 2002-0128255, published September 12, 2002.

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4. Beck, et al., U.S. Patent No. 6,846,813, granted January 25, 2005.

Foreign Patent Application

5. European Patent Application No. EP 0 223 437, published May 27, 1987.
6. PCT Patent Application No. WO 96 22287, published July 25, 1996.
7. PCT Patent Application No. WO 95 06030, published March 2, 1995.
8. PCT Patent Application No. WO 03 006423, published January 23, 2003.
9. PCT Patent Application No. WO 02 02512, published January 10, 2002.
10. PCT Patent Application No. WO 02 02505, published January 10, 2002.

Other Documents

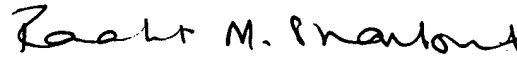
11. Hadden, et al., *Database Crossfire Beilstein* Database Accession No. XP-002269044.
12. Tucker, et al., *Database Crossfire Beilstein* Database Accession No. XP-002269045.
13. Tamamura, et al., *J. Chem Soc*, (2002) Perkin Trans. 1 pgs. 577-580.
14. Vazquez et al., *J. of Med. Chem.* (1995) 38(4):581-584.
15. International Search Report for International Application PCT/US03/28116.

In accordance with MPEP Sections 609 and 707.05(b), it is requested the document cited (including any cited in applicant's specification which is not repeated on the attached Form PTO-1449) be given thorough consideration and that it be cited of record in the prosecution history of the present application by initialing on Form PTO-1449. Such initialing is requested even if the Examiner does not consider a cited document to be sufficiently pertinent to use in a rejection, or otherwise does not consider it to be prior art for any reason, or even if the Examiner does not believe that the guidelines for citation have been fully complied with. This is requested so that each document becomes listed on the face of the patent issuing on the present application.

Respectfully submitted,

Date: October 25, 2005

By:



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FORM PTO-1449
(Rev. 2-32)

U.S. Department of Commerce
Patent and Trademark Office

Atty. Docket No.

02-760-A

Serial No.

10/657,567

**SUPPLEMENTAL INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**
(Use several sheets if necessary)

Applicant:

Fobian, et al.

Filing Date:

September 8, 2003

Group:

1621

U.S. PATENT DOCUMENTS

Examiner Initial		Document Number	Date	Name	Class	Subclass	Filing Date if Appropriate
	1.	U.S. 2003-0096864	May 22, 2003	Fang et al.			
	2.	U.S. 2002-0016320	Feb 7, 2002	Fang et al.			
	3.	U.S. 2002-0128255	Sept 12, 2002	Fang et al.			
	4.	6,846,813	Jan 25, 2005	Beck, et al.			

FOREIGN PATENT DOCUMENTS

Examiner Initial		Document Number	Date	Country	Class	Subclass	Translation	
							Yes	No
	5.	EP 0 223 437	May 27, 1987	EP				
	6.	WO 96 22287	July 25, 1996	PCT				
	7.	WO 95 06030	Mar 2, 1995	PCT				
	8.	WO 03 006423	Jan 23, 2003	PCT				
	9.	WO 02 02512	Jan 10, 2002	PCT				
	10.	WO 02 02505	Jan 10, 2002	PCT				

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc).

	11.	Hadden, et al., Database Crossfire Beilstein Database Accession No. XP-002269044.
	12.	Tucker, et al., Database Crossfire Beilstein Database Accession No. XP-002269045.
	13.	Tamamura, et al., J. Chem Soc, (2002) Perkin Trans. 1 pgs. 577-580.
	14.	Vazquez et al., J. of Med. Chem. (1995) 38(4):581-584.
	15.	International Search Report for International Application PCT/US03/28116.

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication.